

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

FILED

NOV 14 2014

MICHAEL E. KUNZ, Clerk
By 710 Dep. Clerk

Docket No. 10-086

NYENE HENRY BAKER, JR.

MOTION TO MODIFY TERM OF
IMPRISONMENT PURSUANT TO
18 U.S.C. §3582(c)(2)

COMES NOW, petitioner Nyene Henry Baker, proceeding in a pro-se capacity, and respectfully move this Honorable Court seeking modification of the petitioner's term of imprisonment on the grounds that the United States Sentencing Commission has retroactively lower the petitioner's sentencing range.

JURISDICTION

This Court's jurisdiction is invoked pursuant to title 18 U.S.C. §3582(c)(2) which provides that in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. 994(o), upon motion of the defendant or the Director of the Bureau of Prisons, or on its own motion, the court may reduce the term of imprisonment, after considering the factors set forth in section 3553(a) to the extent that they are applicable, if such a reduction is consistent with applicable policy statements issued by the Sentencing Commission.

BACKGROUND

The petitioner was sentenced to 180 months as a result of the